

## Message Text

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15

ORIGIN AEC-11

INFO OCT-01 EUR-25 IO-13 ISO-00 ACDA-19 CIAE-00 INR-10

L-03 NSAE-00 NSC-10 RSC-01 SCI-06 SCEM-02 /101 R

66617

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R 182048Z SEP 73

FM SECSTATE WASHDC

TO USMISSION IAEA VIENNA

INFO USMISSION GENEVA

AMEMBASSY LONDON

AMEMBASSY MOSCOW

USMISSION EC BRUSSELS

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E.O. 11652: NA

TAGS: PARM, IAEA, US, UK, UR

SUBJ: REPORTING INTERNATIONAL TRANSFERS OF NUCLEAR MATERIAL

REF: IAEA VIENNA 6604, 8/10/73

1. RESPONSE TO REFTEL HAS BEEN HELD UP PENDING RESOLUTION OF  
QUESTION OF HOW TO HANDLE INFIRC/153, ARTICLES 91-97, IN  
US OFFER ARRANGEMENTS.

2. DESPITE POSSIBLE REDUNDANCY, IN VIEW OF DESIRABILITY OF:  
(A) NWS COOPERATIVE ARRANGEMENTS PROPOSED REFTEL; AND (B)  
AGENCY AND FRG INTEREST IN INCLUDING INTERNATIONAL TRANSFERS  
IN US OFFER AGREEMENT, WE ARE WILLING CONSIDER ACCEPTING  
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BOTH APPROACHES. HOWEVER, SUGGEST MISSION FIRST SEE HOW FAR

IT CAN GO IN PURSUIT OF NWS COOPERATIVE APPROACH, AS COUNTER MOVE MEETING INTEREST OF AGENCY AND OTHERS IN INCLUDING ARTICLES 91-97 IN US AGREEMENT, BEFORE MAKING FINAL DECISION ON ACCEPTING ARTICLES 91-97 IN US OFFER.

3. REGARDING THE PROPOSED NWS COOPERATIVE ARRANGEMENT, SUGGEST FOLLOWING POSITION:

A. AS MINIMUM, USSR AND U.K. MUST ALSO PARTICIPATE. ALTHOUGH IT WOULD BE HIGHLY DESIRABLE TO INCLUDE FRANCE, THAT IS NOT ESSENTIAL.

B. TRANSFERS BEING CONSIDERED ARE THOSE TO OR FROM LOCATIONS WHERE THE MATERIAL IS SAFEGUARDED BY AGENCY (I.E. ALL EXPORTS TO NNWS FOR PEACEFUL PURPOSES AND ALL IMPORTS FROM FACILITIES SAFEGUARDED BY THE AGENCY).

C. OBJECTIVE SHOULD BE UNIFORM PROCEDURES FOR PARTICIPATING NWS'S.

D. NOTICES SHOULD INCLUDE SUFFICIENT INFORMATION TO MEET AGENCY NEEDS.

E. MINIMUM ARRANGEMENT WORTH EFFORT OF DEVELOPING A COMMON AGREEMENT WOULD BE THE MOST PROMPT-POST TRANSFER NOTICE POSSIBLE (E.G., IN ORDER OF PREFERENCE INDICATED PARAGRAPH 6, REFTEL).

F. PREFERABLE WOULD BE AGREEMENT FOR ADVANCE NOTICE (E.G., 10 DAYS).

G. RECOGNIZE PROBABLE SOVIET OPPOSITION AND NEED FOR USG CLEARANCE, BUT SUGGEST MISSION ALSO EXPLORE POSSIBILITY AGREEING TO: (I) PERMISSION FOR IAEA TO APPLY ITS SEAL TO SHIPMENT BEFORE EXPORT OR CHECK SEAL UPON IMPORT; AND (II) PERMISSION FOR IAEA TO VERIFY QUANTITY AND COMPOSITION OF IMPORTED OR TO-BE-EXPORTED MATERIAL.

4. REGARDING INCLUSION OF ARTICLES 91-97 IN US AGREEMENT, LIMITED OFFICIAL USE

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WE HAVE IN MIND USING FLEXIBILITY FOR DIFFERENT PROCEDURES PERMITTED IN ARTICLES 92 AND 95. ARTICLES 91-97 WOULD APPLY TO "SELECTED" AND "READY" CATEGORY (I.E., TO FACILITIES COVERED BY PARTS I AND II OF THE AGREEMENT AND THOSE COVERED BY THE PROVISIONAL FACILITY ATTACHMENTS OF PROTOCOL). SUBSIDIARY ARRANGEMENTS WOULD PROVIDE THAT THE ADVANCE NOTICES OF IMPORTS AND EXPORTS WOULD CONTAIN ONLY INFORMATION OBTAINED BY AEC ON BASIS OF EXPORT AND IMPORT LICENSES; I.E.:

A. EXPORTING (IMPORTING) U.S. COMPANY.  
B. NATION AND COMPANY FOR WHICH EXPORT IS DESTINED (FROM WHICH IMPORT IS COMING).  
C. THE QUANTITY AND DESCRIPTION OF THE MATERIAL BEING EXPORTED (IMPORTED).

5. IF AGENCY DESIRED FOLLOW-UP ON INITIAL INFORMATION, IT COULD OBTAIN ADDITIONAL DETAILS ON CASE-BY-CASE BASIS.

6. FYI - WHILE AEC WILLING MAKE WHATEVER ARRANGEMENTS NECESSARY TO MEET U.S. OBLIGATIONS UNDER OFFER, U.S. NEGOTIATORS SHOULD BE AWARE THAT ACCEPTING ABOVE ARRANGEMENTS WOULD REQUIRE CURTAILMENT OF CERTAIN EXISTING RIGHTS OF U.S. INDUSTRY, I.E., MODIFICATION OF THE REGULATIONS TO REQUIRE THAT EXPORT OR IMPORT LICENSE APPLICATIONS BE SUBMITTED TO AEC SUFFICIENTLY IN ADVANCE OF PROPOSED EXPORT OR IMPORT TO ENABLE ADVANCE NOTICE TO IAEA. CURRENT REQUIREMENT IS THAT NECESSARY SPECIFIC EXPORT OR IMPORT LICENSE BE OBTAINED PRIOR TO EXPORT OR IMPORT, WITH NO TIME LIMIT SPECIFIED. ALSO, PRACTICALLY ALL SOURCE MATERIAL IMPORTS ARE NOW GENERALLY LICENSED AND AEC RECEIVES ONLY AFTER-THE-FACT REPORTS. THIS WOULD HAVE TO BE CHANGED TO PERMIT ADVANCE NOTICES. END FYI. END.

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## Message Attributes

**Automatic Decaptoning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** NUCLEAR AGREEMENTS, IMPORTS, EXPORTS, LIMITED NUCLEAR DEPLOYMENT  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 18 SEP 1973  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** elyme  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
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**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** USAEC/NUMS:JFNAHY  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** n/a  
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**Handling Restrictions:** n/a  
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**Legacy Key:** link1973/newtext/t19730926/aaaaatga.tel  
**Line Count:** 139  
**Locator:** TEXT ON-LINE  
**Office:** ORIGIN AEC  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:**  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** IAEA VIENNA 6604, 8/10/73  
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**Review Content Flags:**  
**Review Date:** 28 AUG 2001  
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**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** REPORTING INTERNATIONAL TRANSFERS OF NUCLEAR MATERIAL  
**TAGS:** PARM, US, UK, UR, IAEA  
**To:** IAEA VIENNA  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005